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as Trustee for the Specialty Underwriting
and Residential Finance Trust Mortgage Loan
Asset-Backed Certificates Series 2006-BC4*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

US BANK NATIONAL ASSOCIATION, AS
TRUSTEE FOR THE SPECIALTY
UNDERWRITING AND RESIDENTIAL
FINANCE TRUST MORTGAGE LOAN
ASSET-BACKED CERTIFICATES SERIES
2006-BC4,

Plaintiff,

vs.

WOODLAND VILLAGE HOMEOWNERS
ASSOCIATION; WESTLAND REAL ESTATE
DEVELOPMENT AND INVESTMENTS;
THUNDER PROPERTIES, INC.; AND PHIL
FRINK & ASSOCIATES, INC.,

Defendants.

Case No. 3:16-cv-00501-RCJ-CSD

**STIPULATION AND ORDER TO
WITHDRAW MOTION FOR SUMMARY
JUDGMENT, OPPOSITION TO
SUMMARY JUDGMENT, AND MOTION
TO RE-OPEN DISCOVERY; AND TO
JOINTLY REQUEST DISCOVERY BE
RE-OPENED**

1 US Bank National Association, as Trustee for the Specialty Underwriting and Residential
 2 Finance Trust Mortgage Loan Asset-Backed Certificates Series 2006-BC4 (**U.S. Bank**) and Thunder
 3 Properties, Inc., (**Thunder**) stipulate as follows:

4 (1) On January 17, 2023 U.S. Bank filed its motion for summary judgment. ECF No. 68.

5 (2) On February 21, 2023, Thunder filed its response to motion for summary judgment, ECF
 6 No. 71, and a motion requesting discovery be re-opened. ECF No. 72.

7 (3) The parties jointly request the court permit U.S. Bank to withdraw its motion for summary
 8 judgment, Thunder to withdraw its response to motion for summary judgment, and its motion to re-
 9 open discovery.

10 (4) The parties jointly agree that there are issues which have not been the subject of discovery
 11 previously due to developing caselaw and other factors not within the control of the parties, including
 12 relevant claims and/or defenses that had not yet ripened at the time the instant action was previously
 13 dismissed and became the subject of appeal.

14 (5) The parties request the court re-open discovery, permit one-hundred and twenty (120) days
 15 of additional discovery and set a new dispositive motion deadline.

16 (6) The parties believe the discovery requested is both required and in the best interests of the
 17 parties and the court—so that dispositive motions and/or the final adjudication of this matter are
 18 supported fully with the remaining record to be developed.

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This request is made in good faith and not for the purpose of delay, and will not cause prejudice to either party.

DATED this 21st day of March, 2023.

AKERMAN LLP <u>/s/ Lilith V. Xara</u> MELANIE D. MORGAN, ESQ. Nevada Bar No. 8515 SCOTT R. LACHMAN, ESQ. Nevada Bar No. 12016 LILITH V. XARA, ESQ. Nevada Bar No. 13138 1635 Village Center Circle, Suite 200 Las Vegas, NV 89134 <i>Attorneys for US Bank National Association, as Trustee for the Specialty Underwriting and Residential Finance Trust Mortgage Loan Asset- Backed Certificates Series 2006-BC4</i>	ROGER P. CROTEAU & ASSOCIATES, LTD. <u>/s/ Timothy E. Rhoda</u> ROGER P. CROTEAU, ESQ. Nevada Bar No. 4958 TIMOTHY E. RHODA, ESQ. Nevada Bar No. 7878 2810 W. Charleston Boulevard, Suite 67 Las Vegas, NV 89102 <i>Attorneys for Thunder Properties, Inc.</i>
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ORDER

IT IS SO ORDERED.


UNITED STATES DISTRICT COURT JUDGE

DATED: April 27, 2023

AKERMAN LLP

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